

CHAPTER 86-03-08 RULES GOVERNING PROPERTY

Section

86-03-08-01	Borrowing of Money Prohibited
86-03-08-02	Concealment and Removal of State Property - Prohibited
86-03-08-03	Disposition of Personal Property Upon Discharge
86-03-08-04	Gift of Property by a Resident
86-03-08-05	Loan of Property to a Resident
86-03-08-06	Sale of Property by a Resident

86-03-08-01. Borrowing of money prohibited. A resident may not borrow from, nor loan money to another resident or staff member. A resident violating this rule is subject to discharge.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-03, 37-18.1-03(2)

86-03-08-02. Concealment and removal of state property - Prohibited. The concealment or removal of state property from the buildings or grounds is prohibited, and violators are subject to discharge and may be prosecuted for their actions.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-03, 37-18.1-03(2)

86-03-08-03. Disposition of personal property upon discharge.

1. A resident who is discharged and who has personal items remaining at the home must be notified in writing, at the resident's last known address, and shall have thirty days to remove those items from the premises. If a resident fails to make arrangements for the disposition of personal items remaining at the home within the allotted time, the commandant may dispose of the property at his discretion.
2. A resident who receives a medical discharge must be notified in writing of personal items remaining at the home. These items must then be sent or delivered at the resident's own expense to the discharged resident or the named individual to be notified in the event of an emergency.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-03, 37-18.1-03(2)

86-03-08-04. Gift of property by a resident. A gift of property by a resident to a nonresident is invalid unless the donee received physical possession of the gifted property at the time of the gift, and such property has been removed from

the home's premises prior to the death of the donor. A gift made by a resident to another resident or a nonresident during the donor's lifetime is invalid if made with the understanding that the resident donor may retain physical possession of the gifted property until the resident donor's death, or if the gift is to take effect only upon the death of the resident donor. In these cases, such property becomes part of the estate of the resident donor.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-03, 37-18.1-03(2)

86-03-08-05. Loan of property to a resident. Property loaned to a resident must be declared loaned property at the time possession is transferred to the resident. The lender at the time of transfer shall file a sales slip, invoice, or other evidence of ownership with the home's office. The lender shall attach an identifying tag to the loaned property which shall remain attached to the property during the resident's stay at the home. Loaned property not so identified becomes part of the deceased resident's estate.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-03, 37-18.1-03(2)

86-03-08-06. Sale of property by a resident. Property sold by a resident to another resident or a nonresident must be declared at the time of transfer from the seller to the buyer. A sales slip, invoice, or other evidence of ownership which must include serial numbers, model numbers, or other identifying features shall be filed with the home's office. Any property sold by a resident, not so identified, becomes a part of the estate of the resident seller if the sale is questioned by the seller's next of kin.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-03, 37-18.1-03(2)